

REMARKS

I. INTRODUCTION

Claims 11-34 are pending in the present application. Reconsideration of the present application is requested.

As an initial matter, claims 11 and 21 have been amended to include the features recited in claims 12 and 22, respectively. Claims 12 and 22 have been canceled, without prejudice. Claim 31 has also been amended to be similar to claim 28. Accordingly, no new issues have been raised by the amendments, and no matter has been added.

II. REJECTION OF CLAIMS 11, 13-19, 21, and 23-33 UNDER 35 U.S.C. § 102

Claims 11, 13-19, 21, and 23-33 were rejected under 35 U.S.C. § 102(e) as anticipated by U. S. Patent No. 6,315,207 to Eisele et al. ("Eisele et al."). Applicants respectfully submit that Eisele et al. does not anticipate claims 11, 23-19, 21, and 22-33 for at least the following reasons.

As regards claims 11, 13-19, 21, and 23-33, Applicants submit that Eisele et al. do not disclose storing the digitized message *in a memory module of the chip card* removably received by the record/read unit. Eisele et al. states that, "spoken text is digitized and stored in the smart diskette," however, Eisele et al. does not disclose, or even suggest that a digitized message may be written into a memory module of the chip card itself. Eisele et al. describe a "smart diskette." Eisele et al. specifically reject use of a chip card.. For example, Eisele et al. state the following:

The disadvantages of a chip card are that an insufficient amount of patient data can be stored on this medium and that special read/write devices are required.

Col. 5, lines 15-17. Accordingly, the Eisele et al. discussion of the insufficiency of storage space and special read/write device requirements teaches away from storing digitized messages in the memory module of the chip card itself.

Furthermore, Eisele et al. do not disclose, or even suggest, a method for storing and playing back a message via an *automobile radio device*, the automobile radio device including a record/read unit for a chip card, as recited in the claims, as currently presented.

For at least this reason, Eisele et al. do not anticipate (or render obvious, for that matter) and of the pending claims. Withdrawal of the rejection of claims 11, 13-19, 21, and 23-33 under 35 U.S.C. § 102(e) is, therefore, requested.

III. REJECTION OF CLAIM 20 UNDER 35 U.S.C. § 103

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Eisele et al. Applicants respectfully submit that Eisele et al. does not anticipate claim 20 for at least the following reasons.

As an initial matter, claim 20 depends from claim 11. As described above in connection with claim 11, Eisele et al. specifically teach away from the use of a chip card. Moreover, Eisele et al. does not suggest the additional feature of claim 20. The Examiner has not identified any particular reason why such subject matter would be obvious over the Eisele et al., and thus has not established a prima facie case of obviousness.

In view of at least the foregoing, it is submitted that Eisele et al. do not render obvious claim 20. Accordingly, the rejection of claim 20 under 35 U.S.C. § 103 should be withdrawn.

IV. REJECTION OF CLAIMS 12, 22 AND 34 UNDER 35 U.S.C. § 103

Claims 12, 22 and 34 were rejected under 35 U.S.C. § 103(a) as unpatentable over Eisele et al. in view of U.S. Patent No. 5,752,177 to Siegle et al. (“Siegle et al.”). As an initial matter, claims 12 and 22 have been canceled, without prejudice. The features of claims 12 and 22 have been incorporated into claims 11 and 21, respectively.

As stated above, Eisele et al. do not disclose storing the digitized message in a memory module of the chip card removably received by the record/read unit. Furthermore, Eisele et al. specifically teach away from the use of a chip card. Siegle et al., while relating to a vehicle radio receiver, does not cure the deficiencies of Eisele et al., and certainly does not disclose, or even suggest, the above features of the claims that are not disclosed by Eisele et al. Furthermore, there is no suggestion in either reference to combine the teachings found therein.

Therefore, it is respectfully submitted that the combination of Eisele et al.

and Siegle et al. do not render claims 11, 21 and 34 obvious. Accordingly, it is respectfully requested that the rejection of under 35 U.S.C. § 103 over Eisele et al. in view of Siegle et al. be withdrawn.

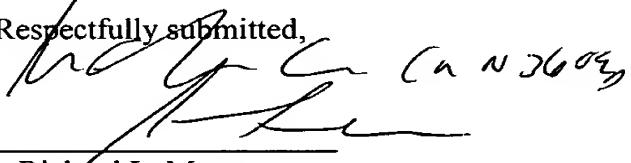
V. COPY OF INITIALED PTO FORM 1449

Applicants filed an Information Disclosure Statement and corresponding PTO Form 1449 on March 18, 1999. However, Applicants still have not received a copy of the initialed PTO Form 1449. As discussed in the Amendment filed on June 5, 2003, Applicants' Information Disclosure Statement and PTO Form 1449 fully comply with the rules. It is respectfully requested that the Examiner provide Applicants with a copy of the initialed PTO Form 1449 with the next communication.

VI. CONCLUSION

In light of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

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